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IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:

Ryan Cole

xxx-xx-9621
6624 Eastview
Sachse, TX 75048

and

Sarah Cole

xxx-xx- 3835
6624 Eastview
Sachse, TX 75048

Debtors.

Case No.: 24-40647-BTR

Chapter: 7

DEBTORS' RESPONSE TO MOTION AND BRIEF FOR
ORDER TERMINATING THE AUTOMATIC STAY

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

Ryan Cole and Sarah Cole, debtors in the above-styled and numbered case (collectively, "**Debtors**"), hereby file this *Debtors' Response to Motion and Brief for Order Terminating the Automatic Stay* (the "**Response**") and would respectfully show the Court as follows:

1. Debtors' sole objection to the *Motion of Motion and Brief for Order Terminating the Automatic Stay* (the "**Motion**") stems from the *Motion for Extension of Time to File Adversary Complaint to Determine the Dischargeability of Debt* respecting Ryan Cole [Docket Entry No. 39] ("**Dischargeability Motion**") filed by Wazu Capital Partners, Inc., one of the Movants¹ herein.

¹ Movants are Wazu Capital Partners, Inc. and MT Medical Properties, LLC

2. As a general rule, the Debtors would not object to the relief requested in the Motion, but for the possibility of the same issues being litigated in the State Court Lawsuit (defined in the Motion) and the prospective dischargeability action ("**Adversary Proceeding**") that is contemplated by the Dischargeability Motion.

3. As such, while the prospect of the Adversary Proceeding against Ryan Cole remains, the Debtors object to the termination of the automatic stay.

4. The automatic stay should not be terminated until Movant determines whether or not to file an Adversary Proceeding against Ryan Cole. At that point in time, this Court can decide how the State Court Lawsuit, in conjunction with the Adversary Proceeding, should proceed.

WHEREFORE, the Debtors respectfully request this deny the relief requested in the Motion and for such other and further relief as this Court might deem just and proper.

Respectfully submitted,

Dated: **June 19, 2024**

/s/ Robert T. DeMarco

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Counsel for Debtors

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that true and correct copies of the foregoing pleading and all attachments were served upon all parties listed below in accordance with applicable rules of bankruptcy procedure on this **19th day of June, 2024**. Where possible, service was made electronically via the Court's ECF noticing system or via facsimile transmission where a facsimile number is set forth below. Where such electronic service was not possible, service was made via regular first-class mail.

DEBTORS

Ryan Cole

6624 Eastview
Sachse, TX 75048

Sarah Cole

6624 Eastview
Sachse, TX 75048

TRUSTEES

Office of the United States Trustee

110 North College Avenue, Room 300
Tyler, Texas 75702

Michelle Chow

Chapter 7 Bankruptcy Trustee
16200 Addison Road, Suite 140
Addison, TX 75001

MOVANT

Wazu Capital Partners, Inc. and MT Medical Properties, LLC

c/o FRIEDMAN & FEIGER, L.L.P.
Dominion Plaza West
17304 Preston Road, Suite 300
Dallas, Texas 75252

/s/ Robert T. DeMarco

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